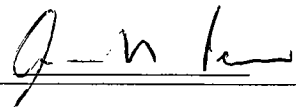


CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being filed electronically with the U.S. Patent and Trademark Office on the below date:

Date: January 23, 2009 Name: Amir N. Penn Reg. No. 40,767 Signature: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Kenji Ishii

Appln. No.: 10/772,223

Filed: February 3, 2004

For: APPARATUS AND A METHOD FOR
OPTIMIZING NETWORK RESOURCES
EMPLOYED IN DATA COMMUNICATION

Attorney Docket No: 9683/165

Examiner: Baturay, Alicia

Art Unit: 2155

Confirmation No. 2202

RESPONSE TO FINAL OFFICE ACTION MAILED SEPTEMBER 23, 2008

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In reply to the Final Office Action mailed September 23, 2008, please amend the above-identified application as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 8 of this paper.